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THE *De Dono Auctioneers*
CASE AND VINDICATION

OF

MR. HEWLING LUSON,

LATE

CLERK OF THE CHEQUE

OF

HIS MAJESTY'S DOCK-YARD,

AT

SHEERNESS.

WRITTEN BY HIMSELF.

“ We are not to mistake inquiry for condemnation, nor crimination for
“ guilt.—It will be our proudest boast, to find that the keenest inquiry
“ can tend only to add new respect and honour to the characters of
“ those, even, who are employed in very subordinate situations in the
“ Naval Department.”

*See Lord Chancellor's Speech 23d December, 1802,
as extracted from the Morning-Post.*

LONDON:

Printed for the AUTHOR, and sold by S. SAEEL and Co. No. 192, opposite
St. Clement's Church in the Strand, and by TRACY,
at Brompton, near Chatham.

June, 1803.

Cox, Son, and Baylis,
Gt. Queen Str.

ADVERTISEMENT.

THE candid reader, it is hoped, will acquit the writer of the following pages from the imputation of *egotism*, when it is considered, that it is his own cause he is pleading his own character he is vindicating, and that, if he had, as in this short address, continued to speak in the third person throughout the whole of his performance, this awkward and continual change of person, though it might frequently have confused his readers, could still only be referred to himself.

It was finished about the beginning of February last, but its publication was deferred,
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in consequence of the repeated assurances the Author received from the Admiralty, that his memorial and petition, presented on the 24th of last November, would certainly be answered ; and in compliance with the concurrent desire of many very respectable friends, who agreed in opinion that the answer would be favourable : an opinion corroborated by the frequent intimations he, till within the last two months, has received, that the subject of his memorial and petition “ was not forgotten.”

CASE AND VINDICATION, &c.

WHEN a passive acquiescence under accusation is construed into a tacit acknowledgment of guilt,* it is the duty of every innocent man to vindicate himself from unjust crimination, and his character from unmerited reproach.

Actuated by these principles, and conscious of an undeviating rectitude of intention, during a long and active performance of public duty, the Writer of the following pages submits his case to the impartial judgment of the Public, with that respect which is always due from an individual, and with that confidence which the justice of his cause inspires. A patient attention and an equitable verdict, are all he has to ask ; and these he is certain of receiving from the candour, the discernment, and the justice of his countrymen.

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* See Lord Proby's speech, as inserted in the True Briton, 3d December, 1802.

Some of the public prints have thought it expedient indiscriminately to calumniate the characters of all the officers, who have been deprived of their situations in consequence of the late visitations of the Admiralty and Navy Boards, to his Majesty's different Dock-yards; but as their ignorance is no less evident from the undistinguishing generality, than their illiberality from the virulence of their invectives, I shall pass them by, as unworthy of attention, and proceed, without farther preface.

In my Memorial * to the Admiralty, I have ascribed my dismissal chiefly to "*pre-judice* highly worked up." That the existence of this prejudice against me, in the mind of Commissioner Coffin, was coeval with his appointment to that situation at Sheerness Dock-yard, will evidently appear from the following correspondence, since he has, in his letter of the 10th August, 1801, assigned that date to it himself.

The correspondence alluded to, originated from an attempt of Commissioner Coffin to take the direction of the Long-boat No. 2, from the Clerk of the Checque (to whom it had

* Printed in another part of this Pamphlet.

had been confided by the Navy Board's warrant of 17th December, 1740, and several subsequent warrants) and put her under the command of the Master-attendant, which he at length accomplished; though in direct contradiction to the said orders. The whole correspondence is as follows.

No. I.

(Copy.)

HONORABLE SIRS, *Sheerness Yard, 9th Aug. 1801.*

Commissioner Coffin having this day read to me your letter to him, of yesterday's date, acknowledging the receipt of his letter of the 6th instant, inclosing one from me to him, and acquainting him with the long-boat, No. 2, "being placed under my direction, for "the purpose of being employed in mustering." I considered this letter as a confirmation of the Honorable Board's order of the 17th December, 1740, and was in hopes all further correspondence, on this subject, would have been unnecessary.

I was, therefore, greatly surprised and concerned, when the Commissioner, immediately after reading to me your letter, told me, in presence of the other respective officers, "that he should, from this time, take the long-boat, No. 2, *entirely* out of my direction, and place "it under his own, and that of the Master-attendant, "who was to let me have that vessel, *or some other*, "when I applied to him for one to muster."

In conformity to this declaration, the Commissioner sent for Joseph Towers, master of the long-boat No. 2, and told him, " that vessel was no longer under my " direction; and if he obeyed any order whatever he " might receive from me, he should immediately discharge him."

What the Commissioner's inducement may be for giving the master of the long-boat No. 2 *verbal orders*, so directly contrary to those of your Honorable Board, and so evidently incompatible with the performance of my duty in mustering, I presume not to conjecture. I beg leave, however, with due deference, to represent to your Honorable Board, that as I am commanded by my instructions to muster " at uncertain times ;" as it frequently happens that I want the long-boat myself to pay bounty, when the Muster-Clerk and cutter are employed in mustering, or to accompany the Muster-Clerk in part of the muster, and return before the whole is completed; as (in winter time especially) it often occurs, that the cutter goes out in fine weather, and a gale of wind arises before her return, which renders the assistance of the long-boat necessary; as I never can suppose it to be the wish of your Honorable Board, that I should be impeded, or directed by the Master-attendant, in the performance of my duty, which must be the case if I am to apply to him for the use of the long-boat No. 2; and, finally, as I never can think of going on with my duty, as Clerk of the Checque, in a vessel, the master of which is enjoined, under penalty of dismission, not to obey any orders I may see necessary to give him, I am obliged, however reluctantly, to request your particular orders to me on this head, unless your letter of the 6th instant

instant to the Commissioner, should, on reconsideration, appear to him, as it does to me, sufficiently explicit, as I sincerely hope it may.

I am, with due respect, Honorable Sirs,

Your most obedient servant,

HEWLING LUSON.

Honorable Navy Board.

No. II.

SIR,

Sheerness Yard, 8th Aug. 1802.

Anxious to avoid even the appearance of a dispute with my superior officer, though by no means intimidated, I am willing to withdraw my letter to the Honorable Navy Board, which accompanies this, provided you are satisfied the long-boat No. 2 should remain under my direction, totally independent of the Master-attendant, though subject to your controul, as the Honorable Navy Board's order of the 17th December, 1740, and their letter to you of the 6th instant, have placed her; and I beg leave to assure you, that when she is not employed in mustering, or paying bounty, she shall be ready "to go upon any service you may think proper to direct."

I have the honor to be, Sir, &c.

HEWLING LUSON.

Commissioner Coffin.

No. III.

No. III.

GENTLEMEN, *Sheerness Yard, 10th Aug. 1801.*

Herewith are inclosed two letters from Mr. Luson, Clerk of the Checque, on the subject of long-boat No. 2.

I can no longer delay to inform you, that I have always experienced in Mr. Luson, *since my residence here*, a disposition to misinterpret your orders, and raise groundless objections to them. Instead of being occupied in the duties of his office, which I have already informed you, he has most grossly and shamefully neglected, and for which he ought to have been dismissed the service, he is devising ways and means to raise difficulties and obstructions in the execution of orders, obvious to the meanest capacity.

Mr. George Smith Weaver, the clerk employed on float this last year, states the long-boat No. 2, to have been employed twenty days only; the rest of the time she has been idle, or used *exclusively* by Mr. Luson for his private purposes, while we have often been distressed for a vessel, to send to Deptford or Chatham for stores. When the Ambuscade sunk, it was with no little difficulty I could persuade Mr. Luson, the King's service required my employing the long-boat; and the foolish and ridiculous consequence he assumed on that occasion, and since, has induced me to lay this business before you.

Mr. Luson will always have the long-boat No. 1, or 2, whenever he is in want of them for the purposes of mustering.

I am, Gentlemen, &c.

ISAAC COFFIN.

Commissioners of the Navy.

 No. IV.

HONORABLE SIRS, *Sheerness, 10th Aug. 1801.*

Commissioner Coffin having read to me this morning, in presence of all the signing officers, a letter to your Honorable Board, which he said he intended transmitting this day, containing several very heavy charges against me, on each of which I most humbly pray, that a public investigation and examination of evidence on the spot should take place, before your Honorable Board, or a Committee thereof; I rely on your well known regard to justice to grant me this privilege, at such time, and in such manner, as you may judge best.

I am, with the utmost deference,

Honorable Sirs, &c.

HEWLING LUSON.

Honorable Navy Board.

 No. V.

MR. LUSON, *Navy Office, 12th Aug. 1801.*

We have received your letter of the 9th instant,* stating your apprehensions, that the service of mustering and paying bounty are likely to be materially impeded by the Long-boat No. 2 being taken from under your direction; and acquaint you, that as we consider there is no duty more essential than mustering His Majesty's ships and hired vessels, we have signified to Commissioner Coffin our opinion, that you should have no excuse of wanting the means to perform that duty; but

* See page 3.

but whenever he is satisfied the Long-boat is not required for that service, or to pay bounty, he will, of course, give any directions for employing her which he may think proper, and that you should apply to him when in want of her.

We do, therefore, most strictly enjoin you, not to be wanting in shewing due respect to the Commissioner, and at all times to inform him of the nature of your duty.

We are, your affectionate friends,

H. DUNCAN,
J. HENSLOW,
W. RULE.

Clerk of the Checque, Sheerness Yard.

No. VI.

HONORABLE SIRs, *Sheerness Yard, 13th Aug. 1801.*

In reply to your letter of yesterday's date, respecting the Long-boat No. 2, I beg leave to assure you, I shall always be mindful to obey your injunctions, "not to be wanting in shewing respect to the Commissioner, and at all times to inform him of the nature of my duty."

I am, Honorable Sirs, &c.

HEWLING LUSON.

Honorable Navy Board.

It is evident, from the above correspondence, that the Navy Board considered the very unjust and extraordinary accusations against

gainst me, in Commissioner Coffin's letter of the 10th of August, 1801, as unworthy their notice; since in their letter of the 12th of August, in answer to mine of the 9th, they make not the least mention of, or reference to them, though they must have received the Commissioner's letter of the 10th of August, containing these charges, when their letter of the 12th of August was written.

Had they thought proper to grant my request for a public investigation and inquiry, I could have brought evidence to prove each of those charges totally unfounded, vexatious and frivolous; and am still ready to do so, whenever I am called upon.

In the mean-time, I beg leave to submit to the Public the following Vindication of my Character, from the unjust and cruel aspersions which those charges contain.

Commissioner Coffin, in his letter to the Navy Board of the 10th August, 1801, begins his accusation against me in the following words:—" I can no longer delay to inform
 " you, that I have experienced in Mr. Luson,
 " since my residence here, a disposition to

“ misinterpret your orders, and raise ground-
 “ less objections to them.”

To this charge I answer, that if my disposition and conduct have been such as they are here represented, they could not possibly have passed unnoticed by the several officers with whom I have acted, during the space of fourteen years, in Sheerness Yard; of the three Commissioners who presided there previous to Commissioner Coffin's appointment; and of the Honorable Navy-Board. The continual obstructions and impediments which must have resulted to His Majesty's service from the operation of such a disposition and conduct in me, would necessarily have excited the complaints of my brother officers, the disapprobation of the former Commissioners resident, and the just displeasure of the Honorable Navy-Board. Yet so different has been the opinion entertained of my conduct, that I have always had the happiness of being esteemed by my brother officers, and honored by the general approbation of the Honorable Navy-Board, and all the Commissioners resident (except Commissioner Coffin). I, therefore, humbly request them to say, whether they ever suspected or
 discovered

discovered in me, “ a disposition to misinterpret and raise objections to the orders of the “ Honorable Navy-Board?” And whether it is their opinion, “ that, instead of being occupied in the duties of my office, I have been “ devising ways and means to raise difficulties “ and obstructions to the execution of orders “ obvious to the meanest capacity?” If their testimony acquits me, it must be admitted that this charge, totally unsupported by evidence, proves nothing more than that Commissioner Coffin has, “ since his residence at Sheerness,” viewed my disposition and conduct through the distorted medium of prejudice.

While ascribing to me a disposition which I am conscious is foreign to my nature, and which I scruple not to affirm no one but himself ever attributed to me, it was perfectly consistent to charge me with “ most grossly “ and shamefully neglecting my duty; for “ which (in his opinion) I ought to have been “ dismissed the service.” It also harmonized admirably with his plan to *deprive* me of my situation, which it evidently appears from his letter of the 10th August, 1801, he had determined

mined on, from the period of his appointment to Sheerness Yard.

This charge, however, which, if well founded, would criminate all the Commissioners who preceded Mr. Coffin, and the Honorable Navy-Board itself, will doubtless be refuted by the same evidence as the foregoing. So far is it from being true, “ that I most “ grossly and shamefully neglected my duty,” that it is well known to my brother officers, to the former Commissioners, and to the Honorable Navy-Board, I was assiduously attentive to the due performance of it; and I can prove, by the evidence of all the clerks in my office, that I performed more personal duty than any of my predecessors found it necessary to do, and that, if I had not constantly bestowed on it the utmost degree of attention, it could not, for the reasons assigned in my Memorial,* and for many others, have been carried on to the general satisfaction of the Commissioners and the Honorable Navy-Board, as it actually appears to have been; though from the notorious in-

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* Printed in a subsequent part of this Pamphlet.

competency of some of the clerks, whom I found in my office, many instances of negligence might, and did occur, which it was not in my power, nor in that of any officer, however vigilant, at all times to prevent.

The next charge relates to the Long-boat No. 2, and begins with my Muster Clerk's statement, that she was employed twenty days only in one year. The accuracy of this statement I mean not to question; and it proves, that she was only used at such times as it was actually necessary to employ her on that service: but that, during "the rest of the time" she was idle, or used *exclusively* by Mr. Lu-
 "son for his private purposes, while we have
 "often been distressed for a vessel to send to
 "Chatham or Deptford,"* I absolutely deny: because I can prove it, by positive evidence, to be totally void of foundation, and I do not believe Commissioner Coffin can produce a *single instance*, in which the Long-boat has been kept idle, or employed by me "for
 "private purposes," when wanted for public service.

I can prove, whenever called upon, the *reverse* of his statement to be the truth; that so
 far

* See Page 9.

far from wishing the Long-boat No. 2 to remain idle, when she was not employed in mustering, it was my constant practice to inform the respective officers, when I did not use her for that purpose, that she was at liberty to go on any other public services. If no other evidence could be produced, the account * of voyages in which the Long-boat No. 2 was employed in carrying stores to and from Deptford, Woolwich, and Chatham, exclusive of others to Deal, Harwich, and one or two to Yarmouth, will prove the fallacy of Commissioner Coffin's statement. So far have I been from employing the Long-boat No. 2 "*exclusively*" "on my private purposes," that I cannot recollect, during the time she was under my direction (about ten years) I employed her so many times, "*exclusively, on any private purpose whatever,*" and never when she could be otherwise employed with benefit to the public service.

The concluding charge is expressed with such artful ambiguity, that it requires a more particular investigation, and a more complete refutation, than any of the foregoing.

Commissioner Coffin says, in the conclusion

* This account may be seen at the Navy Office.

sion of his letter of the 10th August, 1801,
 “ *When the Ambuscade sunk*, it was with no
 “ little difficulty I could persuade Mr. Luson,
 “ the King’s service required my employing
 “ the Long-boat No. 2; and the foolish and
 “ ridiculous consequence he assumed on that
 “ occasion, and since, has induced me to lay
 “ this business before you.”

I appeal to the common sense of my Readers, whether they would not, from this statement, be induced to conclude, that, *at the time when the Ambuscade sunk*, the Commissioner applied to me for the Long-boat to assist her, and that I was very reluctant to comply with his request; I will, therefore, state the whole transaction, exactly as it occurred, which I am ready to prove by a number of witnesses, and doubt not but the Public will thus be enabled to form a just estimate of the candour and veracity of the above statement.

The Ambuscade, in going out of Sheerness Harbour, on the 9th of July, 1801, sunk on the Middle Sand, half way between the Harbour and the Nore, about five minutes past nine in the morning. This unfortunate event was immediately made known to me, as I was
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going to the Lookout-house, where the Commissioner and the Pay-clerks were assembled, and to which I was proceeding to attend the second day's payment of the yard for Lady-day quarter. On entering the room I found John King, the coxswain of my muster-cutter, waiting to receive his pay. I told him the Ambuscade was sunk, and ordered him *immediately* to get the muster-boat's crew together, and go off to the Long-boat, then lying at her moorings, to help the master and crew to reef and set her sails, and proceed with her and the muster-boat to the assistance of the Ambuscade, and I would receive his pay for him. He accordingly did so: and the yard lighters were also getting ready to go out on the same service. Commissioner Coffin, who was sitting at the upper end of the pay-table at the time I gave these orders, took no notice of them, and perhaps might not hear them, as I was at the lower end of the table; but on my informing him what orders I had given, which I did a few minutes after the coxswain had left the pay-table in pursuance of them, he sent orders to *countermand* the Long-boat and the lighters from going to the Ambuscade, which were of
course

course obeyed. About two hours and an half after this, as nearly as I can recollect, Captain Van Voss, commander of the Ambuscade, with Mr. Stamp the pilot, who had just landed from her, came into the Lookout-house, or temporary pay-office, and related to the Commissioner and the officers there assembled the circumstances of her sinking, &c. The Commissioner, after hearing their narrative, directed the Master-Attendant to send the yard lighters, and other sailing craft, to assist Captain Van Voss, and I immediately offered to go off in the Long-boat No. 2 for the same purpose. To this he answered with an arrogant, repulsive hauteur of countenance, voice, and gesture, which excited general surprise and disgust, "Sir! you have nothing to do with sea affairs!" Not thinking it necessary to notice this extraordinary observation, or the manner in which it was communicated to me, I said, "I intended, if it met with his approbation, to go off to the Nore about two o'clock that afternoon, to pay bounty on board the Theseus, then on the point of sailing, provided the weather, which was then very unfavourable, did not prevent me." To this he assented, and gave not the

cast intimation to me then, or at any other time, that day, that he wished me to put the Long-boat under his command, or that he wanted her on His Majesty's service. I accordingly went off with the Long-boat and cutter at two o'clock, and paid the bounty to the *Theseus*, though not without great difficulty, as it blew extremely hard, with a very heavy sea. In coming back, we hailed the lighter, which was lying near the *Ambuscade*, and offered to stay by her, if we could by so doing render any assistance.

From the above statement, every circumstance of which I am ready to prove by incontestible evidence, it will appear, that the transaction which the Commissioner states to have occurred *when the Ambuscade sunk*, did not actually happen till above two hours after, and that this very unfavourable representation of my conduct, which he thought proper to convey to the Honorable Navy Board, with a view to prejudice me in their opinion, is totally unfounded ! That I did not, on this occasion, assume any foolish and ridiculous consequence, and that I have not done so on any other, will, I doubt not, be readily admitted by all (except

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Commissioner Coffin) to whom I am known ; but this charge is too futile to require any further notice. I have now investigated, and I trust refuted, every charge against me contained in Commissioner Coffin's letter to the Honorable Navy Board, and doubt not but it will appear to the discerning and impartial tribunal to which I appeal, that my disposition, my conduct, and my character, have in this letter been " most grossly and shamefully " misrepresented, with a manifest and avowed intention to *deprive* me of my appointment, and my family of their support !

Had the public inquiry into these charges, which I solicited, been permitted to take place, I could, by disproving them, have vindicated my character, exposed the prejudice in which they originated, and counteracted its secret and malignant machinations, which never ceased to operate till they had effected my dismissal.

I must now request the attention of my Readers to the circumstances which occurred at the visitation of Sheerness Dock-yard, by the Admiralty and Navy Boards, in September,

1802; and the subsequent correspondence and dismissal which resulted from it.

But previous to this detail, it is necessary to remark, that the mode of trial adopted in this Court of Inquiry is essentially different from those wise, just, and humane regulations, in favor of the party accused, which all our civil courts of justice, and even military and naval courts martial, are invariably bound to observe.

In these, the party accused is previously made acquainted with the charges to be exhibited against him, and the time when his trial will come on, that he may know what evidence to summon in his behalf, and be prepared for his defence; he is allowed to call in the aid of counsel, if he thinks it necessary; his prosecutor or accuser is obliged to produce evidence to substantiate the crimes or accusations alleged against him; and he is presumed to be innocent till he is proved to be guilty.

But in this Court of Inquiry I had not a moment's previous notice that any trial or examination was intended; I knew not even of what

what I was to be accused, or what evidence it might be necessary to produce in my exculpation ; I was totally unprepared for, or unassisted in making my defence ; my accuser was at liberty to make any charge against me he pleased, without being required to produce any evidence to substantiate it. I was called upon to disprove unsupported charges of delinquency ; and, finally, I was *supposed* to be guilty, unless I could prove myself to be innocent ! .

Yet I doubt not but I shall make it appear to the satisfaction of the candid and discerning Readers, that under these complicated impediments and disadvantages, I actually *have* proved myself entirely innocent of every *criminal* accusation, that malice or prejudice could advance against me, even in the opinion of my judges, who have not, in their sentence of dismissal, mentioned a single instance of speculation, fraud, or criminality, committed by me, but grounded it entirely on the *alleged* negligence or inattention of those, for whose conduct I was held to be responsible, and who were permitted to remain in their places though it was
thought

thought expedient to dismiss me for *their* misconduct !

I must further observe, that though, on this occasion, I succeeded in producing convincing and incontestible proofs of my innocence, it might be possible (and even easy) to convict *any person*, however guiltless, thus arraigned, of any crime in the disgraceful catalogue of human depravity. For example, if A accuses B of robbery or murder, and even mentions time and place, how is B to prove himself innocent, if he cannot prove an *alibi* ?

Should it be alleged, that a Court of Inquiry is not bound to observe the same regulations, in conducting its proceedings and examinations, as a court of justice, it may fairly be answered, that when a Court of Inquiry assumes to itself the high prerogatives of *condemnation* and *punishment*, it either erects itself into a court of criminal jurisprudence, and must therefore be guided in *all* its proceedings by the same rules ; or it becomes a court *above* all legal restrictions, unacknowledged by, and incompatible with, the free constitution of Great-Britain.

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The first public act performed at the visitation of Sheerness Dock-yard, on the 18th of September, 1802, by the Admiralty and Navy Boards, was mustering the yard before them ; it was my duty as Clerk of the Cheque, to call each man by name, as he was entered on the call-books of the yard, and as he answered to his name he came forward and passed the two Boards, after undergoing such examination, and answering such questions, as my Lords Commissioners of the Admiralty, or the Honorable Commissioners of the Navy thought proper to ask him. This muster and examination went on with very little interruption till the caulkers were called*, many of whom had entered into an unwarrantable agreement with the caulkers in the private yards, not to work for the builders in those yards at Deptford, Rotherhithe, &c. The muster being suspended
for

* With these deluded and misguided men Earl St. Vincent argued, in the mildest and most persuasive terms, on the impropriety of their conduct ; pointed out to them that their discharge from His Majesty's service, and the ruin of themselves and families, must be the inevitable consequence of their obstinate perseverance in this refusal ; allowing them further time for reflection ; and promising forgiveness to such
of

for that day was adjourned till Monday the 20th September, when it recommenced, and a charge was soon after brought against me, and then for the first time, made known to me, respecting the destruction of certain public papers called *Extra Notes*.

These notes are transmitted from the Master-Shipwright's Office, signed by him, or in his absence by his assistant, to the chief clerk of my late office, containing the names of the men, who have performed certain extra work *by task or job*, i. e. a certain quantity of work, at a given rate, and time, established by the Navy Board.

From these extra notes the earnings of the several artificers, &c. therein-mentioned are ascertained, and set off in the quarterly pay-books of the yard, by the chief clerk. To his care and custody they had always been confided
by

of them as would relinquish their unjustifiable engagements, and declare themselves ready to assist the private builders, if required. This conciliatory clemency prevailed with a few; but some of them answered his kind expostulations with insolence, and the majority remaining refractory till the time allowed them for consideration was elapsed, were justly punished for their incorrigible obstinacy by being discharged.

by my predecessors, as they were by me, which I proved by the evidence of Robert Wilton, the former messenger to the Clerk of the Cheque's office, during the time that Mr. Stevens, Mr. Grant, and Mr. Tassell had been Clerks of the Cheque; and for some years after I succeeded them. It is farther testified, that when the chief clerk had set them off, and had no longer occasion for them, they were delivered into his custody, and by him deposited in chests, which were kept in a cellar under the office. The same confidence was reposed by the chief clerk in Thomas Charlesworth, who succeeded Robert Wilton as messenger; but it will appear by the following correspondence, and by the investigation to which I refer, that he was not equally faithful to his trust.

(COPY.)

SIR, *Sheerness Yard, 22d January, 1802.*

I desire you will immediately send to my office all the notes for extra, which have been granted in this yard, from the commencement of the present war, to the 31st of December, 1801.

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You

You will keep this requisition a profound secret, that no one may know they are in my possession.

I am, Sir, your humble servant,

ISAAC COFFIN.

Mr. Luson,
Clerk of the Cheque.

ANSWER.

SIR, *Sheerness Yard, 22d January, 1802.*

Pursuant to your desire, I have made immediate inquiry for all the extra notes granted in this yard since the commencement of the present year, not doubting but the greatest part of them would have been directly produced, as I had given very particular directions, I believe so long ago as the year 1795, that they should be regularly and carefully preserved.

I am, therefore, no less surprised than concerned, to find myself unable to give you any farther information respecting the notes antecedent to the year 1800, than the inclosed report contains.

I have the honour to be, Sir,

Your most obedient servant,

HEWLING LUSON.

Commissioner Coffin.

At the investigation into the destruction of these notes, Thomas Charlesworth, the messenger of my late office, though he pleaded illness as an excuse for his absence, was sent for and compelled to attend. The account
he

he gave of this transaction was similar to that in the report alluded to, inclosed in the above letter to Commissioner Coffin, but of which I did not preserve a copy. It stated, that finding the extra notes in question to be damaged, rotted, and defaced, in consequence of sea-water coming into the boxes in the cellar in which they were deposited, during very high tides, and conceiving these notes would never be called for, he had thrown them into the sea ; except a small parcel, which he produced in a very decayed, illegible state. But the answers he gave to the questions put to him, respecting the destruction of these notes, having been caused by his throwing them into the sea, were so evasive as to render his account of this transaction, which was not given on oath (as no one was *sworn* in this Court of Inquiry) justly suspected ; and it was afterwards proved by the testimony of Mr. John Bishop, my fourth clerk, and also by Thomas Charlesworth's own confession, that his account of throwing all these notes into the sea, was only true with respect to a small part of them, which were returned to him, as being too much decayed to be remanufactured, *and* that he had actually

sold all of them that were saleable for waste paper ! This circumstance, which Mr. Bishop said he was only made acquainted with a short time previous to the visitation, which he communicated to me, and I stated to the Admiralty and Navy Boards, at their sitting the day after the examination, accounts for Charlesworth's confusion and prevarication on that occasion ; since, if he had confessed the *truth*, he must have criminated himself for selling them.

The most extraordinary circumstance attending this investigation, which I have been so minute in discussing, is, that from its commencement an attempt was made, and most pertinaciously persevered in to its conclusion, to implicate me, as directing, conniving at, or being privy to, the destruction of these notes ; though nothing can be more irreconcilable to probability, or contradictory to truth, than such a charge !

Supposing me *base* enough to be guilty of so mean and criminal an act, which I will venture to affirm none who know my character, and who are unbiassed by prejudice, will admit, is it possible for any man of common understanding

standing to believe I should voluntarily permit the destruction of those extra notes, which were *my vouchers* for the wages set off by my chief clerk in the quarterly pay-books of the yard? Was not their production, when thus become an object of public inquiry, of more importance to me than to the public, or to any individual but myself? Was it not, therefore, no less contrary to my interest, than derogatory to my character, to authorise, or even connive at, their destruction? Should prejudice suggest, that I might be induced to destroy them, by a desire to *stifle* an inquiry into their contents, I answer that such a suggestion is idle and absurd; for on this supposition I should not have permitted the extra notes, from the commencement of the year 1800, to have been produced; neither could the destruction of them *all* have answered such an intention, unless it could have expunged from the pay-books the extra set off from them.

But, in addition to this strong presumptive evidence in refutation of so extraordinary an accusation, I have, in the affidavit of Thomas Charlesworth, which Commissioner Coffin himself informed me was made before him, but
which

which I never saw, and by my own, which follows, all the positive evidence that can possibly be adduced, that the destruction of the notes in question was *unknown* to me, when the letter of the Commissioner required their production.

(COPY.)

AFFIDAVIT of Mr. HEWLING LUSON, Clerk of the
Cheque of Sheerness Yard, 21st September, 1802.

Kent } This deponent maketh oath and sayeth, that
to wit. } from the time when he ordered his messenger,
Thomas Charlesworth, to take the extra notes, which
the brought to his house for waste paper, back to his
office, and to take care of all such notes in future, to the
day on which Commissioner Coffin required all extra
notes, from the beginning of the war to that day, to be
delivered to him, Thomas Charlesworth never intimated
to him, that any of the said notes had been sold, thrown
into the sea, or otherwise destroyed.

(Signed) HEWLING LUSON.

Sworn before me at Sheerness,
the 21st day of September, 1802.

(Signed) BRYAN BENTHAM, J. P.

The

The second charge was, that I had neglected my duty, by not mustering the two pair of day-sawyers, borne on the pay-books of the yard. This omission, as I then observed, proceeded not from negligence, or any improper motive on my part, but from a persuasion, that as they worked by *measure*, and *not* by time, it was not necessary to muster them; and it appeared that they *never had been mustered* by any of my *predecessors*, nor by the Clerks of the Cheque at Chatham Yard; so that, though I was clearly convinced by this investigation, that it *was* necessary to muster them, and was careful always to do so, from the time of this visitation to that of my dismissal, I cannot think myself culpable for not having done so till this examination took place.

The third charge brought against me by Commissioner Coffin, that the practice of the artificers, &c. quitting the yard, *in a body*, for twenty minutes, at eleven o'clock, was only of five or six years standing, and consequently
origi-

originated with Mr. Mitchell and me, was *fully disproved* by the evidence of Mr. Morse, the Master-Joiner, and Mr. Binstead, the Foreman of Sheerness Yard; the first of whom recollected this practice of the men being permitted to go out *in a body* for twenty minutes at eleven o'clock, for *ten* years, and the latter traced it as far back as the 30th of September, 1790, when Mr. Sison was Master-Shipwright, and near thirteen months before I was Clerk of the Cheque. The account he gave was remarkably clear and precise; and he also declared that, *to his certain knowledge*, the quartermen of the different companies made frequent reports to Mr. John Weaver, sen. chief clerk of my late office, of men belonging to their respective companies, who did not return to the Yard at, or near the limited time, and that they were *always* chequed when so reported.

The reason assigned for permitting the men to go out of the yard to the tap-house at the gate porters in the garrison, or to their habitations on board the breakwaters, at eleven o'clock, was, that there was not in this, as in all the other yards, a tap-house, to which, as

I am

I am credibly informed, the artificers, &c. are accustomed and permitted to repair for refreshment, at eleven o'clock, and to stop a quarter of an hour. How far this information is correct I cannot take upon me to say; but though the reason assigned was considered as a plea for granting the indulgence above stated, it was always considered by myself, and by all the master shipwrights whom I have acted with, as a practice liable to abuse, and which we wished to be discontinued.

It will appear by the following correspondence, that this custom, so far from *originating* with Mr. Mitchell and me (as Commissioner Coffin thought proper at the late visitation to advance as an article of crimination against me), was actually *abolished* by us, when Commissioner Duncan presided at Sheerness Yard, and it was judged beneficial to His Majesty's service, that the artificers, &c. should be permitted to go out of the Yard for half an hour, and work their *remaining* time allowed for dinner; and that it was never since renewed. This is proved by the following correspondence.

(COPY.)

GENTLEMEN, *Navy Office, 6th November, 1800.*

Commissioner Coffin having represented to us, that there has been such a want of system in mustering the people of your Yard, that for nearly twelve months there never had been any new musters, under pretence the men worked during their dinner hour; still they regularly went out at twelve, supposed for half an hour, whether they returned or not could never be ascertained. We direct you to state to us, by what authority you suffered the workmen, who were paid for staying in the Yard during their dinner, to go out of the Yard at twelve o'clock; and also why you neglected to muster them when they returned into the Yard.

We are, your affectionate friends,

(Signed)

C. HOPE,

J. HENSLOW,

W. BELLINGHAM.

Sheerness Officers.

HONORABLE SIRS, *Sheerness Yard, 9th Nov. 1800.*

We observe with equal surprise and concern, the representation of our conduct mentioned in your letter of the 6th instant, and to the heavy charges it contains, beg leave to reply, that the noon-musters have never been omitted, except when the men worked during their dinner time; that their working this extra is not a *pretence*,

tence, but a *fact*; that the omission of the noon-musters, and the permission for the men to go out of the Yard at twelve o'clock, and return in half an hour, was sanctioned by the Commissioner Resident, when they began working their dinner time; that every usual and possible precaution was adopted by us, to prevent the indulgence from being abused, or to punish those who abused it; and that the intire approbation of the Commissioner Resident proves, that our conduct, in the instances now complained of, was in his opinion not detrimental but beneficial to His Majesty's service. This we trust will evidently appear to your Honorable Board by the following statement of facts:

It having been represented to us, that artificers, &c. at Chatman Yard worked their dinner time, with an allowance of twenty minutes to eat their dinners in the Yard, we stated this circumstance to Commissioner Duncan, and also that it would be a saving, in point of time, and a great benefit to the public service, to *abolish* the custom which had long prevailed, of permitting the artificers, &c. to go out of the Yard at eleven o'clock, and stay twenty minutes (there being no tap-house in this, as in other yards) and in lieu thereof, as their homes were near, to be allowed half an hour, when working their dinner time, by which regulation a bad custom would be abolished, and ten minutes time *gained* to the public. But had they been mustered during the period of working their dinner time, it is evident much time would have been lost, to the manifest detriment of the public service. Commissioner Duncan therefore acquiescing with us in this opinion, the noon musters were in consequence omitted; but in order to

ascertain whether the people returned at the expiration of the half hour or not, very positive and particular directions were given to the foremen and quartermen (assembled together for that purpose) to report any defaulters to the Cheque Office, or to the Master Shipwrights, which has in several instances been done, and the defaulters chequed accordingly.

But if this injunction has, in any instance, been neglected to be observed, the fault is not in us, but in them.

We trust it will appear to your Honorable Board, from the foregoing statement, and from those indefatigable exertions to expedite the public service, for which this Yard has, during the present war, been always distinguished, that we could not, on this occasion, be actuated by any other motives; and though we sincerely regret, that we did not submit the propriety of the measures in question to Commissoner Coffin, in his first coming to this Yard, which we admit it was our duties to have done, yet from his long acquiescence in it, we could not doubt but it had his entire though tacit approbation; nor do we think the Commissioner would have represented our conduct in so unfavorable a light to your Honorable Board, had he not been very much misinformed.

We are, Honorable Sirs,

Your most obedient humble servants,

(Signed) THOMAS MITCHELL.

HEWLING LUSON.

Honorable Navy Board.

From

From the above correspondence the Public will be enabled to form a just estimate of our motives and conduct, to judge whether the service was benefitted or injured by it, and to determine whether, from the share I had in the transaction therein alluded to, I am deserving of their approbation or censure.

On this, as on every occasion during the time of my continuance as an officer in Sheerness Yard, it has been my earnest wish and endeavour to *promote* the public service to the *utmost extent* of my limited power and abilities, and to co-operate with my brother officers, in abetting and encouraging the ardent zeal and unremitting exertions displayed by every class of men throughout the Yard, during the whole of the late war, in expediting and refitting the several ships and vessels of the North Sea fleets.

To the incalculable benefits which His Majesty's service and the Public derived from those exertions, (without which the glorious and most important victories of Camperdown and Copenhagen *could not have been achieved*,) I doubt not but the noble and gallant admirals,
the

the captains, and officers, who then acquired immortal honor for themselves and for their country, will bear ample testimony. In what estimation Sheerness Yard was *then* considered, will appear by the following observations of Brigadier General Bentham to me. — He said, “ the Admiralty highly approved, of the alacrity and expedition with which ships were fitted at Sheerness Yard; and though it was the smallest, in extent, he looked upon it as the second Yard in the kingdom, and next to that of Portsmouth, in point of importance.”

The charges relative to the omission of night musters, and improper extra set off to the Master Shipwright's and Assistant's servants, and to William Poulter, as they implicate me *only* by my *responsibility* for the conduct of my instruments, I shall pass by, till I have refuted those which attach to my own conduct and character.

The next of these was an attempt to criminate me for making *alterations*, which appeared in some of the *bye extra notes* which had been transmitted to the Navy Board, but had been returned to Commissioner Coffin, and
were

were then lying on the table at which the Navy Board were sitting.

This charge was so very extraordinary and unexpected, that so far from being prepared for my defence, I could not comprehend what the alterations were, of making which I was accused, till the next morning both they and their supposed intention were explained to me, in a conversation with Commissioner Coffin, and then clearly comprehended by me; though I must now, as I did then, declare, that I was totally ignorant of the transaction, till it was imputed to me as a *crime*, though not a shadow of evidence was, or could be, produced, that the alterations alluded to were made by me, or by any one in my office.

They were only made in *some* of these notes, and merely consisted in a correction in the date from one day to another, in this manner:—Sheerness Yard, 9th or 8th day of the month, the alteration being made *through* the original figure, and both being plainly distinguishable, which clearly demonstrates that they were made, not for the purpose of deception, but correction; as I afterwards proved by the evidence of the person who
made

made out several of them, and acknowledged, without hesitation, he altered them *himself*, having, in the hurry of making them out, mistaken the date ; and he said such alterations were *very often made*. The name of this person is Charles Love, a leading man at the Mast-house in Sheerness Yard, who added, that these notes were generally made by the leading men or quartermen, and carried by them to the Builder's Office, from whence they are transmitted to mine, after being signed by him, or his assistant.

Immediately after the visitation, I gave notice in writing to my clerks, that no extra notes should be set off by them, till they had been previously inspected by me, and signed with my initials. In consequence of this regulation, I detected an *alteration* in the *date* of an extra note, which came from the Master-Shipwright's Office, signed by him, *exactly similar* to those which were supposed to have been altered by my direction, or at my office, and which is a strong collateral evidence, that these alterations were made merely for correction of a mistake in the first date, and *before* they were brought to my office. The following

lowing is an exact copy of this note, which I did not think proper to set off on account of the alteration in the date, and another was accordingly made out. Mr. Diddams certainly would not have signed this note, if he had adverted to the alteration in the date.

(COPY.)

MR. LUSON, 18th * October, 1802.

The under-mentioned scavemen were employed five hours before time to attend the boiling trough, to be allowed one night extra.

[Warrant 9th instant.]

THOM. COCKLES.—ROBT. GRIERSON.

(Signed) Ns. DIDDAMS.

N. B. Date altered at the Master-Shipwright's Office.

H. L. 20th Oct. 1802.

The next charge was respecting a parcel containing certain *bye extra notes*, which in pursuance of Commissioner Coffin's order to me of the 8th January, 1802, I sent to his office with a letter respecting them, to be by
G him

* In the original note, the date appears to be altered from the 17th to the 18th, both figures being distinguishable.

him transmitted to the Navy Board; though the Board did not admit having ever received them; and the Commissioner declared at the visitation (which did not take place till more than twenty months after) that they were *not* received at his office, yet during the whole intervening period of time, he never intimated to me that they had not been actually received, and transmitted by him to the Navy Board; and from their being absent from my office about three weeks, after I sent them to his by my messenger, and afterwards returned, I could have no reason to doubt but they had been received, and transmitted by him to the Board.

In order that the Public may be enabled to form a true and impartial judgment respecting this *very mysterious* and extraordinary transaction, I shall submit to their inspection the following correspondence, exactly as it occurred.

(COPY.)

No. I.

HONORABLE SIRS, *Sheerness Yard, 10th Jan. 1801.*

In obedience to your directions in your letter to Commissioner Coffin of the 8th instant, “ that the Clerk
“ of

“ of the Cheque should state to you particularly, on
 “ what service the Master-Shipwright’s servants were
 “ employed in Michaelmas quarter last, and send you
 “ the notes in which their names will appear ;”

I have selected, and *herewith* transmit, the notes wherein they are mentioned. With respect to their particular employments, they consist in taking off the bodies of ships; taking draughts and plans for the Surveyors of the Navy; working occasionally on the Antelope; laying down draughts of ships, and constructing models in the mould loft; and such employments as may, in the judgment of the Master-Shipwright, improve them in the scientific acquirements, peculiarly necessary for their future stations. In thus employing their apprentices (who are at the *same time* borne for extra in the notes of the companies of artificers to which they are attached) the present Master-Shipwright and assistant have implicitly followed the example of their predecessors, during the twelve years I have been at this Yard, and I believe for time immemorial.

I am, Honorable Sirs,

Your most obedient servant,

HEWLING LUSON.

Honorable Navy Board.

No. II.

SIR,

Admiralty Office, 2d Oct. 1802.

I am commanded by my Lords Commissioners of the Admiralty to signify their direction to you, to acquaint me, for their Lordships’ information, by return of post,

with every circumstance attending the sending of the *extra job notes* to the Navy Board, in January, 1801, in consequence of their letter to you, directing you so to do, stating to me, at the same time, to whom you delivered the said notes, and in what manner they were returned again into your possession.

I am, Sir,

Your most humble servant,

(Signed) WM. MARSDEN.

Mr. Luson, Clerk of the Cheque, Sheerness.

No. III.

SIR,

Sheerness Yard, 5th Oct. 1802.

In obedience to the commands of my Lords Commissioners of the Admiralty, I now proceed to submit to you, for their Lordships information, every circumstance I am able, at this distance of time, to communicate, respecting the notes alluded to in your letter of the 2d instant. This I hoped and intended to have transmitted by last night's post, but was not able to get the inclosed attested declaration till this morning.

The extra job notes you mention, were sent to the Commissioner's Office on the 22d of December, 1800, pursuant to the Navy Board's order; and those relating to the Master-Shipwrights' and assistants' servants extra, were sent to the Commissioner's Office, on the 10th of January, 1801, pursuant to his order of the 8th of that month.

The

The circumstances respecting the selection, transmission, and return of both these parcels of notes appear to be as nearly as possible alike. In both cases, on receiving the order, I gave immediate directions for the notes required to be selected, which was done by the messenger, in my public office, in presence of the clerks; and I recollect on both occasions observing him so employed, in passing through that to my private office. Both parcels appear by the inclosed attestation, to have been delivered into the Commissioner's Office, at the times above stated. The first parcel was returned to my office, after being away a fortnight; the second, I apprehend, was not returned quite so soon. Mr. J. Weaver, jun. very well remembers both parcels being returned into the office; the first was in a paper cover, sealed and directed to the Respective Officers of Sheerness Yard, and the words NAVY OFFICE, were written upon it, but there was no date. The second was also in a paper cover; but he believes it was not sealed, but tied up, but he cannot now recollect how it was directed. Neither can I, at this distance of time, ascertain by whom, or from whence, either of these parcels were returned to my office.

The receipt of the first parcel was acknowledged by the Navy Board on the 5th January, 1801; the second parcel was sent from me to the Commissioner by his order in consequence of the Navy Board's letter to him; and as he never repeated that order to me, *or even intimated that I had not complied with it*, I make no doubt but the parcel containing the notes in question, and sent by Thomas Charlesworth to his office, on the 10th of January, 1801, was received there.

The

The most extraordinary circumstance is, that the Commissioner acknowledges receiving and transmitting my letter of the 10th January, 1801, in which I say, “ I have selected, and *herewith transmit*, the notes, &c.”; but denies that the notes accompanied the letter, yet omitted to inform me of that circumstance, or to make the least enquiry respecting them, at or near the time ; though *above twenty months after*, at the visitation, the charge of their not being sent with the letter, is, *for the first time*, brought forward to *criminate me*.

Submitting the above statement (which is all I have been able to collect) with due deference and respect to the consideration of my Lords Commissioners of the Admiralty,

I have the honour to be, Sir, &c. &c.

Wm. Marsden, Esq.

HEWLING LUSON.

No. IV.

COPY of Mr. J. WEAVER, Junior's, Declaration

Sheerness Yard, 1st October. 1802.

Hereby I assert that yesterday, the 30th September, 1802, Thomas Charlesworth said in my presence and hearing, that he perfectly well recollected, that he selected a quantity of notes (called bye-extra notes) wherein the Builder's and Assistant's servants were named, which notes were directed to be sent to the Honorable Navy Board, pursuant to directions from Commissioner Coffin, on or about the 10th of January, 1801. That he selected the said notes at the desk in the outer part of the Cheque Office, in the view of every clerk

clerk belonging to the said office : that the said notes were not out of his possession, and that he remembers delivering the said notes at the Commissioner's Office, and to which he was willing to make affidavit.

(Signed) JOHN WEAVER, Jun.

No. V.

The declaration of Thomas Charlesworth, messenger in the Clerk of the Cheque's Office at Sheerness, states, that in pursuance to orders received by him from Mr. Hewling Luson, Clerk of the Cheque at Sheerness Dock-yard, or from Mr. John Weaver, chief clerk of the said office, on or about the commencement of the year 1801, he selected a quantity of notes (called bye-extra notes) and which notes he understood were directed to be sent to the Honorable Navy Board by Commissioner Coffin's order ; that he selected and sorted the said notes at the desk in the outer part of Mr. Luson's office, in the view of the clerks of the office ; that the said notes were selected at different times, and the first parcel relative to the extra allowed to three men in the Mast-house, named Temple, Love, and Houghton, were delivered at the Commissioner's Office at Sheerness, by him, Thomas Charlesworth, about a fortnight or three weeks before the second parcel of bye-extra notes were delivered also to the Commissioner's Office, by him, Thomas Charlesworth. He states, that the latter parcel of notes related to the extra of the Builder's and Assistant's servants. He further states, that he is certain he delivered *both* the parcels of notes above-mentioned

at

at Commissioner Coffin's office at Sheerness, but whether to a clerk or the messenger his memory will not enable him, at this distant period, to say.

(Signed) THOMAS CHARLESWORTH.

Sheerness, 4th October, 1802.

Taken and acknowledged in my presence,

(Signed) BRYAN BENTHAM, J. P.

No. VI.

MR. LUSON, *Navy Office, 15th Nov. 1802.*

The extra notes, said to have been selected and sent to us with your letter of the 10th January, 1801, not having been received at this Office, and being very desirous of ascertaining the exact circumstances respecting them, we desire you will send us a copy of every letter which has passed upon the occasion, from or to the Admiralty or this Board, and inform us of every particular concerning them, which has come to your knowledge.

We are,

Your affectionate friends,

(Signed) H. DUNCAN,
J. HENSLow,
W. BILLINGHAM.

Late Clerk of the Cheque, Sheerness.

(COPY.)

No. VII.

*Sheerness Yard, 16th November, 1802,
past 4 o'clock, P. M.*

HONORABLE SIRS,

I beg leave to acquaint you, that your letter of yesterday's date having been, by some means, overlooked or mislaid at the post-office, is but this moment delivered to me; for which reason I have it not in my power to transmit to you, by this post, the information you require, which I hope I shall be able to transmit to-morrow.

On this account I esteem my detention here a fortunate circumstance; for had not Commissioner Coffin refused to grant my request for a lighter, to transport my furniture, &c. from hence, on account of their being wanted (as he said) for public service, I might probably have left this place to-morrow morning.

I am, with great respect, Honorable Sirs,

Your most obedient humble servant,

(Signed) HEWLING LUSON.

Honorable Navy Board.

(COPY.)

No. VIII.

HONORABLE SIRs, *Sheerness, 17th Nov. 1802.*

In obedience to your letter of the 15th instant, I beg leave to transmit copies of every letter which has passed upon the occasion of the extra notes therein referred to, from or to the Admiralty or your Honorable Board, together with the original declaration of Mr. John Weaver, jun. and a copy of Thomas Charlesworth's attestation, respecting the said notes.

From the 10th January, 1801, to the present moment, I never had a doubt but that the notes were delivered, with my letter respecting them, at the Commissioner's Office, on the day it was dated. Till the late visitation I had every reason to suppose they passed regularly through his office to your Honorable Board, and that they were, in like manner with the first parcel, inspected by you, and returned to my office through the Commissioners; though it *now* appears that they never were received by you. For this very extraordinary omission I am convinced you will have the justice to admit I cannot, after having *proved* the delivery of the notes at the Commissioner's Office, be accountable; since it rests not with me, to say how they were disposed of, during their absence from my late office. Being directed by your Honorable Board to state *every* circumstance relating to this very mysterious transaction, I cannot, in justice to my character (which I am happy to say the most malevolent attempts have totally failed to stigmatize with

with fraud, injustice or falsehood) avoid calling to the recollection of those members of your Honorable Board, who were present at the late visitation, the very extraordinary observation of Commissioner Coffin, respecting the copy of my letter of the 10th January, 1801, which related to those extra notes, and is marked No. 1.

He said, “ producing a copy of a letter in a book, “ was no proof of its being sent to him. It was *possible* “ Mr. Luson might write the letter in question, and “ order it to be copied, though he might not send “ it.” I believe it was on the 24th September he hazarded this most illiberal and improbable suggestion, with a manifest intention of prejudicing the Admiralty and Navy Boards against me; yet on the 2d of October, only nine days after, he acknowledged he *had* received from me, and transmitted to your Honorable Board, the very letter he had said it was *possible* I might write without sending!

In this case he must either have been betrayed, by the ardour of crimination, into a failure of memory, by no means habitual to him, or to accomplish his favourite purpose, have, with deliberate premeditation, suggested *that* to be possible, which he knew was impossible!

As I have been necessarily engaged this day in seeing my goods put on board a private vessel, by men and carts hired by myself, and am at the same time anxious to send this letter, and the documents required, by this post, I rely on your experienced goodness, to excuse my requesting a copy of this letter, which time will not permit me to transcribe, and also of No. 4 and 5. For these letters I shall wait upon Mr. Secretary Nelson early next week. I shall remain here till the return of the post, in

order to receive any further commands from your Honorable Board, and purpose being at No. 252, Borough, on Saturday morning.

I have the honor to be, with unfeigned respect,

Honorable Sirs,

Your most obedient servant,

(Signed) HEWLING LUSON,

Honorable Navy Board.

From the foregoing correspondence it will, I trust, be evident, that by sending the notes in question to the Commissioner's Office, which is the only channel through which public papers are transmitted from my late office to the Navy Board, I complied with the orders I received; and that the Commissioner would not have acknowledged the receipt of the letter which was sent with the notes, if the Navy Board had not, subsequent to the visitation, admitted the receipt of it; since at the visitation he said, "that my producing a copy of the letter was no proof of my having sent it to him, as it was possible I might write such a letter, *and not send it.*"

On this suggestion, evidently intended to prejudice me in the opinion of the Admiralty and Navy Boards assembled at the visitation, I shall make no further remarks; but having
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minutely investigated and fully replied to *all* the charges which could attach any criminality to my *own* conduct or character, I shall proceed to the examination of those which affect me, by my *reputed* responsibility for the conduct of my clerks, or, as they are officially called, my *instruments*.

The first of these charges was, that I had suffered my chief clerk to set off in sundry bye-extra notes, signed by the Master-Shipwright and Assistant, extra pay for their servants, inserted in the said notes, which was not wrought by them, nor sanctioned by the Navy Board or the resident Commissioner. To this I answer, that I acknowledge myself culpable, *though not intentionally criminal*, for reposing too implicit confidence in the accuracy or integrity of my chief clerk, whose very improper and unjustifiable conduct in *this* instance, was not only wholly *unknown* to me, but *directly contrary* to my very particular and repeated injunctions, not to set off any extra that he could not justify by the Navy Board's warrants, or the sanction of the resident Commissioner.

To the second charge, that my chief clerk
had

had made only sixty-nine night musters in the year 1800, though he ought to have mustered the artificers, &c. regularly every night on their leaving the yard, unless prevented by bad weather (which sometimes was unavoidably the case) I can only reply, that had I entertained the least suspicion that he would have been guilty of so shameful an omission, I should certainly have prevented it ; and I acknowledge, with extreme regret, that though I frequently was witness to the people being mustered on leaving their work, during the period alluded to, I did not *constantly* attend, as I ought to have done, and undoubtedly *should have done*, had my chief clerk's remissness in performing this duty been made known to me. Yet I cannot help thinking it extremely hard, that I should be *dismissed* for my *reputed* responsibility, while the actual culprit, for whose conduct I am held amenable on both these charges, retains his situation without any public token of censure.* I must also

* About a month after this Vindication was written, and above four months after my own dismissal, I heard Mr. Weaver, my late chief clerk, was discharged, though for what reason I was not informed.

also observe, that Commissioner Coffin, who was resident Commissioner at Sheerness, during five or six months of the year 1800, and *who is no less responsible for my conduct than I am for that of my chief clerk*, ought to have pointed out this omission to me *at the time* he discovered it, by which its continuance to *the end of the year*, might have been *prevented*, instead of reserving it for a subject of accusation at a distant period, and thus *participating* with me in the *culpability*, though exonerated from the punishment.

That Commissioner Coffin should criminate *all* the resident Commissioners who preceded him, by representing Sheerness yard as the *Pandemonium* of idleness, negligence, disorder, and peculation, till his auspicious succession, when,

“ Confusion heard his voice, and wild

“ Misrule stood aw’d.”

That he should ascribe to himself the operation of causes which would have produced the same effects, had he never been Commissioner Resident at Sheerness; that he should attribute the privacy, order, and security of the yard, *resulting from its inclosure*, to his vigilance, and the savings arising *from the Peace*, and
the

the *consequent* reduction of extra and *discharge* of near half its war establishment, to his economy; cannot surprise any one who knows him.

But that he should, in his ardour to criminate me, inadvertently implicate himself in a still heavier charge, must appear to them a most extraordinary deviation from his usual circumspection

He either was conscious, from his first coming to Sheerness Yard, about Midsummer, 1800, that the night musters were very frequently omitted, or he was not. In the latter case the charge of inattention or remissness applies *with equal force* to him as to me. On the former supposition that he *did know* of the evil, *and took no steps to prevent it*, though he had it in his power, and it was his duty to have done so, he is *far more* culpable, since he is consciously, and in this case, *intentionally* criminal.

The third and last charge was, that improper extra was set off by my second clerk, to William Poulter, a labourer in the yard. In refutation of this charge, so far at least as I had any concern in the transaction, I submit to the Public the following correspondence.

(COPY.)

No. I.

HONORABLE SIRS,

Sheerness Yard,
19th March, 1801.

In answer to your letter of the 18th instant, we beg leave to inform you, that William Poulter was entered in the Ordinary, on the Prince of Orange hulk, the 1st December, 1796, agreeable to your order of the 7th November, 1796, and discharged on the 11th December following, and was on the next day, *viz.* 12th December, 1796, entered as an extra-labourer, by direction of Commissioner Hartwell.

We are, &c,

J. WHITBEY,
T. MITCHELL,
HEWLING LUSON.

Honorable Navy Board.

No. II.

GENTLEMEN,

Navy Office, 20th March, 1801.

We have received your letter of yesterday, informing us that William Poulter was entered in the Ordinary, on the Prince of Orange Hulk, the 1st December, 1796, and discharged on the 11th December following, and on the next day entered an extra labourer, by direction of

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Com-

Commissioner Hartwell; and direct you to let us know, why he is now discharged from the Yard.

We are,

Your affectionate friends,

(Signed) H. DUNCAN,
J. HENSLow,
GEO. ROGERS.

Notation made by Commissioner Coffin.

The Clerk of the Cheque conceived, as the man could not attend his muster, he was no longer to be borne, in which the Commissioner coincides.

No. III.

HONORABLE SIRs,

*Sheerness Yard,
22d March, 1801.*

In reply to your letter of the 20th instant, directing us to let you know, why William Poulter, late master of the Longboat No. 1, was now discharged from this Yard? we beg leave to inform you, that the Call-clerk conceived, as he could not attend his muster, he was no longer to be borne; in which opinion Commissioner Coffin coincided with us.

We are, Honorable Sirs,

Your most obedient servants,

THOMAS MITCHELL,
HEWLING LUSON.

Honorable Navy Board.

No. IV.

By the principal Officers and Commissioners of His Majesty's Navy.

We have received your letter of the 22d instant, and direct and require you to continue William Poulter, late master of the Longboat No. 1, as a labourer, provided he attends his musters; for which this shall be your warrant.

Dated at the Navy Office, 27th March, 1801.

(Signed) H. DUNCAN,
J. HENSLOW,
G. ROGERS.

To the respective Officers of
His Majesty's Yard, Sheerness.

No. V.

SIR, *Sheerness Yard, 22d September, 1802.*

I beg leave to inform you, the reason why I set off William Poulter the extra worked by the labourers in the Yard, was by the Honorable Navy Board's warrant, 27th March, 1801, which says, "he is to be borne as a labourer provided he attended his musters;" and on the

27th January, 1802, he was put on single days, till the day of his discharge.

I am, Sir,

Your most obedient servant,

(Signed) THOMAS ONGLEY.

Hewling Luson, Esq.
Clerk of the Checque.

No. VI.

SIR, *Sheerness Yard, 24th September, 1802.*

Pursuant to your directions, I herewith lay before you an exact copy of the correspondence between the Navy Board and the respective Officers of this Yard, respecting William Poulter; and also a letter from my second Clerk, Mr. Thomas Ongley, giving his reasons for setting off William Poulter's extra, till the 7th January, 1802.

I beg leave to add, that your notation on the Navy Board's letter of 20th March, 1801, evidently proves my solicitude to prevent William Poulter from being improperly borne on the books of the Yard, and will, I trust, exonerate me, in your opinion, and in that of the Right Honorable the Lords Commissioners of the Admiralty, from any impropriety of conduct respecting William Poulter.

I have the honour to be, Sir,

Your most obedient servant,

Isaac Coffin, Esq.
Commissioner.

HEWLING LUSON.

On

On the foregoing correspondence, which, I trust, will fully exculpate me from the charge of authorizing any improper extra to be set off to William Poulter, and terminates my investigation of, and reply, to all the charges brought against me at the late visitation, I shall make no comment.

Immediately after the visitation, I addressed to the Honorable Navy Board a letter of which the following is an exact copy :

Sheerness Yard, 24th Sept. 1802.

HONORABLE SIRS,

I cannot reflect on the result of the inquiry at the late visitation, so far as it relates to my department, without the most sincere regret; for though I trust I shall stand acquitted by your impartial judgment, as I am by my own conscience, of any intentional deviation from rectitude, yet I must acknowledge I have, by reposing too much confidence in those for whose conduct I am by my situation subject to a most awful responsibility, suffered abuses and irregularities to exist, of which I was not conscious, but which I ought to have detected and abolished. Thus I have not only incurred your just displeasure, but that most severe of all afflictions, self-condemnation. Yet permit me, Honorable Sirs, to state the following extenuating facts in my behalf.

The case of William Poulter, which was insisted on as a heavy accusation against me, clearly demonstrates my anxiety to prevent his being improperly borne on the

books

books of the Yard. Of this Commissioner Coffin's notation, on your order of the 20th March, 1801, in the following words: "The Clerk of the Cheque conceived, "as the man could not attend his muster, he was no "longer to be borne, in which the Commissioner coincides," and my putting him on bare days, when his inability to perform his duty with the other extra labourers was signified to me, are evident proofs.

It is equally true, that since I have held my appointment, I have actually performed a much greater proportion of personal duty, in its several departments, than principal Officers generally think it necessary to do; though it was rendered so to me, by the incompetency of some of the clerks whom I found in my office. It must also be evident to your Honorable Board, that I have always rendered you a true and just account of the public money with which I have been intrusted, amounting at least to *two hundred thousand pounds*; and that in my various disbursements, I have made it my constant care to resist every demand that was not sanctioned by your orders. This required, on my part, the most unremitted vigilance and attention; as your Honorable Board well knows how little assistance I derived from my instruments, till I had such of my own appointment, as I could confide in.

These considerations, I trust, will prove, that I do not deserve the imputations of negligence or inattention to my duty; though I acknowledge, with heart-felt concern, those in whom I had conceived I might safely confide, have most cruelly deceived and injured me.

To a mind endued with generosity, liberality, and humanity (virtues I hope I shall always practise and revere),

vere), crimination must ever be disgusting : but justice to myself obliges me to repeat to your Honorable Board, that the extra, so justly complained of, was set off, not only without my knowledge, but contrary to my express and repeated injunctions, to set off none but such as your orders would sanction.

I beg leave only to add, that if the considerations above mentioned should induce my Lords Commissioners of the Admiralty, and your Honorable Board, to pardon past errors, I shall endeavour to atone for them by future vigilance, extending to every department in my office, and particularly to the proper arrangement and safe custody of all public papers, the prevention of improper extra, and the due attention to musters in the Yard and on Float.

I am, with great respect, Honorable Sirs,

Your most obedient servant,

HEWLING LUSON.

Honorable Navy Board.

MR. LUSON,

Navy Office, 4th Oct. 1802.

We have to acknowledge the receipt of your letter of the 24th of last month, expressing your concern for the abuses that have been suffered to exist in your office, and are,

Your affectionate friends,

H. DUNCAN,

J. HENSLow,

B. TUCKER.

Clerk of the Cheque, Sheerness Yard.

On

On the 23d of September, 1802, the day after the visitation, I addressed a letter to the Earl of St. Vincent, wherein I noticed and replied to the several accusations brought against me; but as they are more fully investigated and refuted in the foregoing pages, it will be unnecessary here to insert it, and I shall only extract from it the concluding paragraph, as follows :

(EXTRACT.)

If what I have stated can induce your Lordship to regard my conduct in a more favourable light—if it can clear me from imputation of the least intentional fraud or falsehood, both which I equally detest and disavow—if it can induce your Lordship to pardon past errors, and continue me in actual service, in my present line, *or grant me superannuation*, my future conduct shall testify my gratitude. If not, the internal consciousness of rectitude and probity, which I prize far beyond any earthly good, and my trust in that gracious Providence, which has supported me through many arduous trials, will, I trust, rescue me from my impending disastrous fate, or enable me to bear it with fortitude.

It only remains for me humbly to intreat your Lordship to pardon the unavoidable length of this letter, and to believe me to be, with the utmost deference and respect,

My Lord,

Your Lordship's much obliged and
most obedient servant,

Sheerness Yard, 23d Sept. 1802. HEWLING LUSON.
The Right Honorable the Earl of St. Vincent.

To this letter, which I sent by my son Joseph to Sittingbourn, where the Admiralty and Navy Boards, who presided at the late visitation, were then sitting, and which was given by my son to Commissioner Tucker, to be presented to his Lordship, my son received the following verbal answer, communicated to him by Commissioner Tucker—"that his Lordship directed " him to inform me, he had read my letter, and " should pay all due attention to its contents."

I leave the reader to judge, how great must be my surprize and regret, when a month after the date of the above letter, and without the least *intimation* that so severe and *unmerited* a punishment awaited me, I received the following sentence of dismissal :

SIR,

Navy Office, 21st Oct. 1802.

The Right Honorable the Lords Commissioners of the Admiralty, having signified to us that they have seen, with considerable surprize, that the various duties intrusted to the Clerk of the Cheque of Sheerness Yard (Mr. Hewling Luson), had, in almost every instance, been neglected for many years past, by which the Public has suffered in an extreme degree, and have therefore directed us, by their Order of the 19th instant, to dismiss him forthwith from his employment :

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We accordingly desire you will immediately discharge him from the books of Sheerness Yard,

And are, Sir,

Your humble servants,

(Signed)

HENRY DUNCAN,
WILLIAM RULE,
B. TUCKER.

Commissioner Coffin.

(A Copy)

(Signed) ISAAC COFFIN.

In the above sentence, the reasons assigned for my dismissal are, “ that the various duties
“ of my office had, in almost every instance,
“ been neglected *for many years past,*” and
“ that the Public has suffered thereby in an
“ extreme degree.” Two causes are assigned for my dismissal, each of which demand a *separate* consideration, in order that the Public may be enabled to form an accurate and impartial judgment of their validity. To the first I reply, that my public conduct “ for several
“ years past,” has been subject to the inspection of the Honorable Navy Board, and the several Commissioners resident at Sheerness Yard ; and if the various duties of my office had been, “ for
“ several

“ several years past, in almost every instance, “ neglected,” such unpardonable inattention could not have escaped their notice or censure ; nor could I have been honoured with their general approbation, which I was till Commissioner Coffin was appointed to that Yard. However culpable the various instances of negligence and inattention, arising from the notorious remissness and incompetency of some of the clerks I found in my office on my first succeeding to it, may be, no degree of vigilance on my part could, at all times, obviate or prevent them. The various difficulties and impediments, arising from the incompetence and inattention of those instruments, to whose departments the important duties of mustering on float, transmission of muster-books, and payment of disbursements on the heads of bounty and contingent expenses, appertained, my unremitted endeavours to *counteract* the ill effects of their errors and negligence, and *my frequent representations of their misconduct* to the Honorable Navy Board and to the Commissioners Resident, are well known to them. The accuracy and fidelity with which I have accounted for the very considerable sums of public money I have dis-

bursed, notwithstanding the obstacles continually thrown in my way from the above-mentioned causes, which I will venture to affirm, no man who was negligent of, or not *constantly attentive* to this very essential part of his duty, could have surmounted, prove at least, in these important instances, my *diligent* and *unremitted* attention to my duty, and my *fidelity* to the Public, during the whole time I was Clerk of the Cheque of Sheerness Yard, a period of eleven years.

It also stands on record, in my public correspondence with the Honorable Navy Board, that in consequence of the incorrigible negligence of Mr. Caleb Pott, the Muster-clerk, whom I found in that department, he was at length discharged; and his successor, from the representations of misconduct I was compelled to make to the Honorable Navy Board and the Resident Commissioners, at various times, the last of which was not two months before my dismissal, was frequently suspended or mulcted, and but for my lenity and forbearance, he must long since have been discharged. Had I shewn less clemency to those instruments, whose errors, inattention, and delinquency, are *all* imputed to me,

me, it is well known that I might still have held my situation. My conduct with respect to Mr. Ongley, on an occasion which occurred about three years ago, was attributed to its true motive, and highly approved by my Lords Commissioners of the Admiralty, at the time it happened. Mr. Ongley was then under suspension, in consequence of a representation I was obliged to make to the Honorable Navy Board, by whom it was communicated to the Admiralty.

Had I, on that occasion, preferred *self-interest* to clemency, and declined all farther responsibility for his conduct, he *must* have been discharged, and I might have obtained pecuniary emolument, to the amount of 300 guineas.—But I disdained the base and mercenary idea: and Sir Evan Nepean, who may probably remember (and I am certain, if he does, will *authenticate* the fact), expressed himself to the following effect, and as nearly as I can recollect, in the following words: “ Mr. Luson, “ your conduct to Mr. Ongley has been liberal; “ it does you great honour, as it proves you “ are not *mercenary* or *self-interested*, and has “ gained you great credit at the Admiralty and “ Navy

“ Navy Boards.” I was not *then* accounted a negligent, unfaithful, fraudulent servant of the Public ! Nor should I *now*, if my conduct had not been *grossly misrepresented*, and my character *most shamefully* traduced.

Hard as my dismissal is to me, cruel as its effects are to my family, and keenly as I feel for their distress, the *injury and wrong* my character has sustained, inflicts *a far deeper* wound. Could the Noble Lord who now presides at the Admiralty Board, and who *once* honoured me with his good opinion, see me *as I am* ; could he view my conduct through the medium of the truth, unperturbed by artifice, and unobscured by prejudice, he would *restore me* to that estimation, which I once accounted the highest honour I could possess, and the same regard to rectitude which induced him to think justice demanded my dismissal, must undoubtedly operate in my favour. But while the accumulated instances of negligence, inattention, or delinquency, in my instruments, *long since investigated and forgotten*, are industriously hunted for, *through a period of past years*, dragged forth from the oblivion to which they had been consigned, and marshalled in
formi-

formidable array, to overwhelm me in unmerited ruin and disgrace, while, by a *prestidious* responsibility, the errors, the inattention, the delinquency, of my instruments, nay even of my *messenger*, were imputed to me, and an attempt was insidiously, though unsuccessfully, made to include *me* in the crime of destroying those very notes, which it was no less my interest than my duty to preserve; it is by no means surprising, that the *semblance* of justice should be mistaken for the reality.

As an additional proof, that the negligence and inattention assigned in my sentence of dismissal as its principal cause, were not attributable to me, but to the incompetency or inattention of my instruments, I appeal to the Honorable Board, whether, since I have had a Muster-Clerk of my own appointment, the very important duties attached to that department have not been performed to their satisfaction? Whether muster-books have not been accurately made out, and regularly transmitted? and whether the important duties of paying bounty and mustering on float (in both of which I frequently assisted), were not duly performed? I might also ask these questions of Commissioner

sioner Coffin, without any expectation of a *negative* answer; but it is probable his reply to this, as to all similar questions, would be—"I know all this was done, but it was because I was Commissioner Resident."

In the short period that intervened between the visitation and my dismissal, I can prove by the following examples, that my vigilance and attention were exerted to the benefit of the Public, even without the aid of the Commissioner Resident. By giving written notice to my clerks not to set off any extra notes till they had been previously inspected by me, and signed with my initials, I was enabled to detect the *alteration* in the date of the note inserted in page 41, which, though of little moment in itself when discovered, might *some years hence*, have been as easily converted into an article of crimination, and with equal justice, as those which were produced against me at the late visitation, since the alteration was *exactly* similar.

The second instance was in examining the pay-books for Midsummer Quarter 1802, previous to their payment, which I believe took place about ten days after the visitation.

In

In former examinations of the five pay-books, my sole object had been to ascertain their agreement with the original, and with each other; but in this I paid particular attention to the *amount of extra* in * days, nights, and † tides, inserted against each man's name, who was borne for bye extra. By examining in this manner, which, had I remained in office, I should *always* have done, I detected *improper extra* set down to fifteen riggers, which upon being referred by me to the Commissioner, and by him to the Honorable Navy Board, was *deducted* from their pay. The whole amount of this extra did not exceed £6. 10s. 6d.; nor should I have mentioned either this circumstance, or that of the note, except to prove the degree of attention which I was determined to have extended to *every* department of my office, had I been permitted to retain my situation; and at the same time to shew, that even so lately after the visitation, er-

L rors,

* A day is twelve working hours (including breakfast and dinner time) in summer, and while it is light enough to work in winter.

† A night, equal in pay to a day, is by Board's warrant fixed at five hours. A tide is one hour and an half.

rors, negligences, or misconstructions, will occur in other offices, as they did in mine, though without any *criminal* intention, either in the principal officer or his instruments.

I now proceed to the investigation of the *injuries* said in my sentence of dismissal to have been sustained by the Public, in consequence of the negligence referred to in the said document.

On this subject, the most *groundless* and *exaggerated* estimates of losses and injuries, which the Public is represented to have sustained by improper extra at Sheerness Yard, during the late war, have been injuriously fabricated, infamously propagated, and too implicitly believed. Some of the enlightened, patriotic, and virtuous news-paper correspondents, have extended their estimate on this occasion to millions! Others, more circumspect, or possibly better instructed, have confined it to narrower bounds; but a hundred thousand pounds is reckoned *a very moderate calculation indeed*, of the amount of improper extra for Sheerness Yard.

It is therefore necessary, in order to refute such improbable and injurious statements, to
examine

examine the foundation on which they are built. These are said to be the *information* obtained at the late visitation by the Admiralty and Navy Boards at Sheerness Yard.

The *only* instances of improper extra that I can recollect to have been pointed out at the late visitation were those of the Master-shipwright's and assistant's servants, and of William Poulter, of thirteen pence per day extra for about two months, improperly set off by my second call-clerk. As this latter transaction has already been sufficiently * discussed, and as the whole amount of this extra would not exceed ten or twelve pounds, I shall only advert to that of the master-shipwright's and assistant's servants, which next to the destruction of the extra notes, occupied the most time, and might be considered as the most prominent object of any respecting my department, during the visitation. It was *said* to be *enormous* and exorbitant, and that the injury the Public sustained by it was very great.

That every instance in which any extra was set off to the Master shipwright's or assis-

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tant's

* See page 56 et seq.

tant's servants, unauthorized by the Board's warrant, was a culpable deviation from duty, I readily admit. That many such instances were actually produced, I also acknowledge with sincere regret; but that they were *authorized* or *connived at* by me, I positively deny: on the contrary, they were in direct contradiction to my repeated injunctions. This I have already had occasion fully to discuss, and shall therefore confine my enquiry to the following question. To what amount was the Public injured, by allowing this improper extra to the Master-shipwright's and assistant's servants?

For argument's and brevity's sake, I will admit, that from the commencement of the war, till the 1st of July, 1801, when by the new regulations the Master-shipwright's war salary was established at £720 per annum, the average of extra set off to the builder's servants, *i. e.* to the builder himself, was £140 per quarter, though I apprehend I have rated it rather too high. This makes £560 per annum; to which is to be added £150, the amount of his salary, being in the whole £710 per annum; *from* which is to be deducted the *actual earnings* of
all

all the servants, which, in the opinion of Mr. Diddams, the Master-shipwright of Sheerness Yard, cannot be estimated at less than £200 per annum. Thus the Master-shipwright's pay, *including the servants' extra*, will appear to have cost the public £510 per annum, during the late war, till the 1st of July, 1801, about eight years and a half; amounting in the whole to £4,335. The Master-shipwright's salary, for the same time, at the war establishment of £720 per ann. would be £6,120, or £1,785 *more* than the former salary and servants' extra would amount to. If, therefore, the services of the Master-shipwright on the present war establishment, which is certainly estimated at no more than a just compensation, would cost the Public £210 *more* per annum than the former salary and extra, the Public can only be injured in this respect, by *saving* £210 per annum; and what kind of injury that is, the Public itself must determine. The extra of the assistant's servants, added to his former salary, I apprehend would not exceed his present war establishment. But if it should be asserted, that the Public *may* have been materially injured by the omission of night-musters in the

year

year 1800, and by men absenting themselves during the working hours of the Yard, I reply, that by the long-established *regime* of all dock-yards, the shipwrights are all divided into companies, each consisting of about twelve or sixteen men, over whom a quartermaster is placed, whose duty it is, and who is strictly enjoined by orders from the Navy Board, to report any man belonging to his respective company, who absents himself, to the call-clerk of the Cheque Office, that he may be mulcted or chequed of his pay ; and if the quartermaster fails in doing this, he is liable *himself* to the same penalty. The master-workmen and foremen of the other classes of artificers and labourers throughout the Yard, are under similar restrictions, and liable to the same penalties ; and that none may plead ignorance, these orders are publicly read to them, monthly or quarterly, by the Clerk of the Cheque, in presence of the Commissioner Resident and respective officers of the Yard.

The Public, therefore, cannot sustain any injury, from the criminal conduct of the men who absent themselves, during the working hours of the Yard, unless the officer, whose duty it is to report them, neglects to do so ; or
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the Clerk of the Cheque or his call-clerks, omit chequing them, when so reported. In the former case, the responsibility rests with the officer or foreman, whose duty it is to report them; in the latter, with the call-clerk, who omits or refuses to cheque them. Thus the Public cannot, in either case, be injured, if the Commissioner Resident enforces these regulations, or reports the infraction of them to the Navy Board. With respect to men absenting themselves during the working hours of the Yard, of which all the Commissioners Resident have so frequently and so justly complained, it was, as they well know, very difficult, if not impossible, to prevent it, while Sheerness Yard remained in the open, public state in which it was, till the new landing-place was completed, and the habitations in the old ships destroyed. Before these salutary measures were effected, it differed essentially from *all other dock-yards*, having no less than *four* public thoroughfares, *viz.* to the Garrison, the Bluetown, the London and Chatham Boats, and the Old Ships, besides many places of private access. When these circumstances are duly considered, it will appear by no means extraordinary, that

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it was subject to the various irregularities, depredations, and abuses, so long and so justly complained of, among which, the facility with which the workmen could absent themselves, and return again when they pleased, was by no means the least. But it is evident, that whatever injury the Public might suffer from the men thus absenting themselves, no degree of responsibility or blame could attach to me or to my office, on that account; unless it can be proved, that I *wilfully* permitted or connived at such abuses, or *refused* to punish the offenders, by chequing them when officially reported.

Having now finished my investigation into the various charges brought against me, and the causes assigned for my dismissal, I respectfully submit it to the impartial judgment of the Public, to determine, whether I have not fully disproved every criminal charge brought against me, whether the accusation of “negligence and “inattention to my duty, for many years past,” is well or ill founded; in what respects “the Public have suffered from my conduct, “in an extreme degree;” and to what amount I have injured them *.

* It is necessary to remark, that when the Yard is working *bye extra, by task, or job*, the injury resulting from particular men absenting

I shall only add the following extracts from my Memorial and Petition, presented to the Admiralty Board on the 24th of November, 1802, and a few concluding remarks.

senting themselves is not, in most cases, sustained by the Public, but by the companies or classes to which the absentees belong; though their criminality (if they *wilfully* absent themselves) is equally deserving of punishment

To exemplify the truth of the foregoing observation, I will adduce an instance which frequently occurs:—The breaking up of a ship in dock, when condemned as unfit for His Majesty's service.—In this case, the Master-shipwright and Clerk of the Cheque send a joint letter to the Navy Board, proposing a certain number of men, distinguishing the companies, classes, &c. to which they belong, and stating a precise time (*e. g.* sixteen days) for the performance of this service. If the proposed allowance, either of men or of time, is, in the opinion of the Board, too great, they fix the *ratio* of both at what they think a reasonable standard; and by this the work *must be* performed. It frequently happens that some of the men fall sick, or meet with accidents, while thus employed; and in such cases the companies or classes to whom these disabled men belong, voluntarily compensate for their absence by their *own* additional exertions; and if the service is thus performed, in exact conformity to the *stipulated* agreement, it is evident the Public cannot sustain *any* injury from the absence of the sick or wounded men in this instance; and it is a well-known fact, that by far the greatest proportion of extra wrought at Sheerness, and all the other dock-yards, during the late war, has been in consequence of monthly "*Schemes of Work*," previously submitted to, and regulated by the Navy Board, in a manner similar to the above.

MEMORIAL.

That, in the beginning of February, 1777, your Memorialist being then in the 34th year of his age, was entered into his Majesty's Service as a Clerk in the Navy Office, where he continued till September, 1788, with the entire approbation of Sir Charles Middleton, as will appear by the following Certificate :

“ These are to certify, that Mr. HEWLING LUSON
 “ served as a Clerk in the Navy Office, during the time
 “ I was Comptroller of the Navy, and that I always be-
 “ lieved him diligent and attentive to his duty, and a
 “ man of integrity.

“ *Dated at Teston, 26th October, 1802.*

(Signed) C. MIDDLETON.”

That he was then appointed Clerk of the Rope-yard, at Chatham Dock-yard : about three months after, he was promoted to the office of Clerk of the Survey in Sheerness-yard ; and on the 11th October, 1791, he succeeded Mr. Daniel Tassell, as Clerk of the Cheque, in the same yard ; in which office he continued till the 22d October, 1802, when he was superseded.

That your Memorialist firmly believes, at this moment he is as able, as he is willing, to remove, by a temperate discussion, aided by satisfactory evidence, every circumstance of material blame which has been imputed to him ; and to convince your Lordships, that in some instances, to misconstruction, and in others, *to prejudice highly worked up*, he owes the calamity which has befallen him ; and that ultimately, his offence extends not beyond an overstrained confidence in others, resolving itself merely into an error of judgment, to which every human being is
 more

more or less subject. But such an investigation would embrace a great variety of minute points in detail of official duty, performed under the most trying circumstances, with unwearied assiduity, though with very incompetent instruments, and increased in every department beyond all former example, particularly in disbursements of public money, of which a sum, not less than two hundred thousand pounds, has been by your Memorialist accurately and justly accounted for.

That your Memorialist, therefore, however desirous and prepared to enter into a discussion, from the result of which he would have much to hope, and nothing to fear, forbears to solicit an inquiry, which might trespass too much on your Lordships' time and attention, devoted to far more important objects.

That conscious, however, of no intentional neglect of duty, and fully assured that he has executed the trusts reposed in him, under difficulties and obstructions unparalleled in former times, with a pure mind and incorruptible integrity, he cannot help thinking his case peculiarly hard.

That if credit is refused him, not only for his unremitted endeavours to promote exertion among those under his controul, and to rectify the errors and improprieties continually arising from the incompetency or inadvertency of the instruments whom he found in his office, but for his disinterestedness in trusting to their promises of amendment, rather than soliciting their punishment by dismissal, though he might thus have obtained ease and pecuniary emolument, instead of being now superseded for *their* negligence; he yet humbly hopes, that his services to his country,

and the exertions he manifested, with no inconsiderable degree of success, during the Mutiny at the Nore, will not be forgotten.

That the exertions of your Memorialist, in counter-acting the Mutiny, were by no means confined to the single object of writing an address, calculated to bring back the misguided seamen to their duty, which was printed and distributed at the public expense ; since, in addition to the approbation of the Admiralty, he was honored with a vote of thanks from the the Committee of Merchants, instituted for the suppression of the Mutiny at the Nore, dated at the Marine Society's Office, on the 26th October, 1797, strongly manifesting the sense entertained by that very respectable body of the services he rendered to the Public, respecting the mutiny in general ; which testimonial may be referred to in the records of that useful and meritorious society.

That, in thus humbly submitting to your Lordship's view the zeal and exertions of your Memorialist, at a crisis when exertions, promptly and successfully employed, were of the utmost utility to Government, he feels a peculiar satisfaction, in the proofs he has experienced, of his endeavours to promote the important interests of virtue, morality, and benevolence, in his different plans and publications, having met the approbation of the Public ; in these writings, he trusts, the true index of his mind has been discovered, and that they have conveyed to the world the most irrefragable proofs of his attachment to the purest principles of integrity, virtue, and humanity.

That your Memorialist humbly hopes, that his character, considered in this point of view, and as a husband,

band, a father, and a member of society, will be entitled to your Lordships' approbation ; and that, as a servant of the Public, his conduct, though not exempt from error, bears ample testimony of his integrity, industry, zeal, and loyalty to his King and Country.

Your Memorialist therefore relying on your liberality and humanity, humbly prays,

That your Lordships, in consideration of near twenty-six years public service, as a clerk and an officer, of the good character he has supported during this period, and of the other services he has rendered his King and Country, would be pleased to grant him superannuation, as the surest means to which he can look forward for the support of himself and family in the decline of life.

London, 24th November, (Signed) HEWLING LUSON.
1802.

This Memorial has now been above six months before my Lords Commissioners of the Admiralty ; but as no official answer has been received by me, notwithstanding the repeated assurances given me that one would be sent me, I am kept in a state of the most anxious and tormenting suspense.

If I obtain the object of my application, it will, in some degree, compensate me for the hardship of my dismissal, and for my public services for near twenty-six years ; it will shield
me

me and my family from impending distress ; and it will vindicate my character from the most false and injurious aspersions. These, I am conscious, I have not deserved, and it cannot be expected I should silently endure.

The foundation on which these false reports are built, is no less unstable than the superstructure. It is briefly this. Commissioner Coffin, it is *pretended*, has saved Government ten thousand pounds a quarter, since he has been at Sheerness Yard. The Public must therefore have been previously robbed, of forty thousand pounds per annum, and I must have shared in the plunder ! Now I deny both the premises and the conclusion ; and if the former were true (which I have demonstrated it is not) I should still assert the latter to be false. Yet on grounds so slight as these, my character has been defamed, and my dismissal effected ; for it is worthy of remark, that I am not only implicated by my responsibility in the blame resulting from the incompetence, negligence, or misconduct of instruments, *which were appointed by my predecessors*, but by the degree of credit which fallacious statements and calumnious reports have obtained,

ed, I have found every avenue to my exculpation obstructed by prejudice; and, though enabled, by a consciousness of intentional rectitude, to sustain with fortitude these complicated injuries, I have the mortification to be *suspected* of being partaker in the *suspected* criminality of others!

But it has been said, it was necessary to command my dismissal, for the sake of an *example*! An example!! Of what? Not of justice; for I have not been convicted of any crime; unless it be accounted a crime to hold a responsible situation, at a time when any of my subordinate instruments have disobeyed my directions, or abused the confidence I reposed in them; not of mercy, for *none* has as yet been extended to me; but as an example of *responsibility*, to which the errors, the misconduct, and even the suspected criminality of others, is imputed; on which the punishment due to their demerits is most severely inflicted.

Whether *such* an example is compatible with the immutable principles of equity, productive of any advantage to his Majesty's service, or conducive to my country's welfare, I submit to the impartial judgment of the Public. But

even

even admitting the expediency, or political necessity for such inequitable punishments, surely a *milder* than dismissal might have been assigned me ! A reprimand, a mulct, or a temporary suspension, would have afforded as evident an example of the penalties to which responsibility is liable, as my dismissal. I am conscious that I have acquitted myself with diligence, zeal, fidelity, and integrity, in the discharge of my public duty, for near twenty-six years, and have rendered a just account of the various and many considerable sums of the public money which I have disbursed.

The respectable part of the inhabitants of Sheerness, in which I have lived fourteen years, will, I am persuaded, bear ample testimony to my character. There is not, to the best of my knowledge, *one* among them, who can say I have oppressed or injured him. The invariable respect with which they have treated me, entitles them to my sincere regard, and proves that they thought me worthy their esteem. The very honorable certificate granted me by Sir Charles Middleton, proves that my conduct, during the twelve years I was a clerk in the Navy Office, merited his approbation.

Yet

Yet what is now my reward? To be ignominiously dismissed from my late respectable situation, for the misconduct of others; to have my character aspersed by the most *false*, and improbable suggestions; to be accused of speculation; to see myself and family reduced, unmeritedly degraded from the respectable situation we occupied, in the evening of my days, and doomed to experience the most severe reverse of fortune, unless it should please my Lords Commissioners of the Admiralty, in consideration of my past public services, and my present very adverse and undeserved fate, to grant me that superannuation, to which, according to His Majesty's order in council, those services entitle me.

Supported by conscious integrity, and a firm reliance on the goodness of God, it would be no less *abject* than *impious* to despair. I have the farther consolation to reflect, that I have now discharged that indispensable duty which every man owes to his character, by respectfully submitting this vindication to the candid and impartial judgment of the Public.

N

4th June, 1803.

F I N I S.



